



SULZER CASE ENDS MINUS HIS STORY

Keeps Off Stand So It Will Not Be Necessary for Wife to Testify, but Will Give Out Tammany Plot Statement.

VERDICT EXPECTED IN FEW DAYS

Counsel to Occupy To-day and To-morrow in Arguments and Then Comes Vote on Guilt or Innocence of Governor—Sarecky Sticks to Explanation—Hennessy Graft Tale Barred.

Both sides finished taking testimony before the High Court of Impeachment yesterday, and a verdict on the guilt or innocence of Governor Sulzer will be voted in a few days.

Sulzer refused to go on the witness stand, as that would make the testimony of his wife necessary, his counsel said.

Louis A. Sarecky's story that the blame for failure to report campaign contributions was all his was little shaken by John B. Stanchfield's cross-examination.

John A. Hennessy's testimony for Sulzer about graft in state departments was barred by the court.

Neither would the court permit George W. Egbert, a bank examiner in charge of the failed Carnegie Trust Company, to testify for the prosecution that Mrs. Sulzer never had an account in that institution, as alleged.

RYAN TESTIMONY HELPS KEEP SULZER OFF STAND

[From a Staff Correspondent of The Tribune.]

Albany, Oct. 8.—Prosecution and defense closed their testimony this afternoon before the High Court of Impeachment. Counsel for both sides will finish their arguments by Friday evening, and the court will be ready to vote Governor Sulzer to be guilty or not guilty of the "wilful and corrupt misconduct in his office" and "high crimes and misdemeanors," for which he was impeached by the Assembly on August 14 by a vote of 79 to 45.

When Sulzer's lawyers announced that they rested without putting him on the witness stand it was a sudden and unexpected finish of a defense which had become almost perfunctory in its presentation of evidence.

The Governor's lawyers said that he declined to go on the stand because he did not wish to subject his wife to the ordeal of testifying for him and undergoing a cross-examination like that of Louis A. Sarecky, and if he testified she would have to testify also. The Governor had heard from friends and associates in the political world, even so far as from Washington, who were distinctly adverse to this, and so, reluctantly, he decided to stay away from the trial.

Sulzer Decides Not to Testify.

This decision was reached at the final conference between the Governor and his counsel last night. This information was given out with the authorization of D. Cady Herrick, chief counsel to the Governor, after it had been intimated that Sulzer had been surprised at the abrupt closing of the case.

Sulzer's long expected statement in answer to the specific charges made against him will be given out for publication as soon as the verdict in the impeachment trial is returned. The statement has been written and is now waiting in the office of his counsel, where it is kept in a private safe. It is understood that it is the same statement, in substance, which Sulzer prepared for Theodore Roosevelt to read at the Progressive state conference at Rochester recently, but that Sulzer has gone over it since that first preparation and taken out some of the items least susceptible of proof.

It is reported that this statement, which is about four thousand words long, will set forth Sulzer's own story of what he believes is a gigantic political conspiracy against him, fathered by Tammany Hall, as his punishment for opposing Boss Murphy.

News of the closing of evidence in the impeachment trial reached Sulzer while he was sitting in the library of the Executive Mansion going over the final draft of his statement.

The Governor said to-night to his personal friends that he had the utmost confidence that the result of the trial would be favorable to him. His counsel were pleased at his decision not to testify.

Sulzer Eager to Testify.

"When was this decision reached?" his chief counsel, D. Cady Herrick, was asked.

"We lawyers reached that decision long ago," he replied, grimly, "but the Governor only very recently."

The Governor did not reach this decision, it is said elsewhere, until after the testimony of Allan A. Ryan that Sulzer had asked him to send agents to Senator Root and Charles F. Murphy, of Tammany Hall, to get their help in having the impeachment declared invalid. Up to that time the Governor, against the earnest protests of his counsel, had been planning to act on the advice of an inner circle of political associates to go on the stand and tell the story of his persecution by Tammany.

His counsel of record had insisted that the legal aspects of the case were in his favor; that only three of the articles of impeachment, those charging

MITCHEL RESIGNS POST IN LETTER TO WILSON

Port Collector as Leader of Fusion Cause Would Still Possible Criticism.

John Furroy Mitchell, the fusion candidate for Mayor, tendered his resignation as Collector of the Port of New York to President Wilson in a letter forwarded to Washington yesterday.

It is understood the Collector took that course in order that the President might, if he wished, relieve himself of any embarrassment due to criticism from any one because a federal officeholder was devoting his time to political matters.

As will be noted, the resignation is not a formal document, but a personal letter to the President, which the President may use as a resignation if he sees fit. Collector Mitchell points out that the office is so well organized as to make it improbable that the government's interests would suffer during the month that remains of the campaign. However, he feels it a duty to offer his resignation to the President under the circumstances.

If the President expresses a desire that Mr. Mitchell remain in office he will undoubtedly not press his resignation. There was a feeling here last night that the President might take just that attitude. So far as could be learned here last night the President had no one in mind for the place.

A friend of Frank L. Polk, who was mentioned for the post at the time it went to Mr. Mitchell, has told friends that under no circumstances would Mr. Polk take it now.

Collector Mitchell's letter, which was made public at the Custom House last night, follows:

"October 8, 1913.
"The President, Washington.

"My Dear Mr. President: I beg hereby to tender my resignation from the office of Collector of the Port of New York.

"The active and engrossing part of the work of the campaign for the Mayor of New York, in which I am engaged as a candidate, has set in, and, while the Collector's office is so well organized as to make it quite impron-

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TEACHER-MOTHER OUSTED BY BOARD

City School Heads Dismiss Mrs. Bridget Peixotto After Eighteen Years' Service by Vote of 27 to 5.

HER LAWYER WILL APPEAL

Dr. Ira S. Wile in Protesting Against Action Says Only Business of Body Is to Employ Efficient Teachers.

Found guilty of the high and inexcusable crime of motherhood by the Board of Education yesterday, Mrs. Bridget M. F. Peixotto, a teacher for eighteen years, was dismissed from the department. She lost her place by a vote of 27 to 5.

Undismayed by the decision, Mrs. Peixotto's attorney, Alfred J. Talley, of No. 165 Broadway, former Civil Service Commissioner, said yesterday he would take the case into court.

"This decision is vicious. It is against public policy and public morality," said Mr. Talley.

Until yesterday Mrs. Peixotto was a teacher in Public School 14, in The Bronx. She was married in April, 1912, to F. R. Peixotto, an insurance broker, whose office is at No. 55 John street and his home at No. 41 St. Nicholas Terrace.

Advised Leave of Absence.

Her last day in school was February 3. The day following she notified District Superintendent Joseph R. Taylor that she was ill. This illness had nothing to do with maternity. Two days after that the teacher's physician, communicating with the Board of Education, advised an indefinite leave of absence.

Within a few days, Mrs. Peixotto says, she sent word through her physician that a child was expected.

The district superintendent lost no time in formulating both a complaint and request for resignation. It was stated that the first report to the board gave the cause of illness as ear and nose trouble. Whatever the merits of that feature of the case, on April 7 Mrs. Peixotto became a mother. She was summoned to trial, set for May 28 last, on charge of neglect of duty in remaining away from school. The case was put over to June 10. Then the committee on elementary schools recommended her dismissal, but final action was postponed until September.

This move caused Dr. Ira S. Wile to characterize the action of the members as cowardly, but what he said did not have the effect of bringing the matter to a head at that time. It went over from the date set in September until yesterday, when Dr. Wile, speaking in behalf of Mrs. Peixotto, made this appeal:

"The issue in this case is whether a married woman who becomes a mother is to be dismissed from the service. You cannot discharge her for being married, but you want to throw her out because she has borne a child. Literally, you seek to penalize motherhood—a condition that is strictly not Board of Education business.

Efficiency Only Standard.

"Your business is to employ teachers who are efficient. If you throw Mrs. Peixotto out you will have brought upon this city—upon yourselves, rather—the unenviable distinction of being the only education board in this country to take such a step. In France, and in the Russia that is held up so unfavorably in matters of humanity, Mrs. Peixotto, by the rules, would have been given a leave of absence on pay. In England and Germany a leave of absence without pay is granted.

"Aside from this, your stand is that the efficiency of the teacher is impaired. Can you show me how the fact that a teacher is a mother warps her efficiency? Do you not know that in the best of our private schools married women receive preference as teachers?

"It is not a matter of whether other teachers are waiting on line for employment—you have here the question of efficiency, and I need do no more than point to the record of eighteen years' service, of which Mrs. Peixotto may proudly boast."

Commissioner Abraham Stern, answering Mr. Wile, said the recommendation should be followed.

"This is not a sole instance," he said, "within the last two weeks there have been two more such cases. The question brings to our attention the effect upon the pupil and the general conduct of the school. It must be conceded that our main and primary function is the education of the child. If this function is impaired, it cannot be compensated by the increase in quantity of the population, if the quality is neglected.

"Maternity necessitates frequent and long absences from duty. This requires the employment of substitutes who are, in many cases, mere makeshifts, and the pupil suffers."

Commissioner Stern spoke of the nervous condition of the teacher-mother and her lack of attention due to thoughts of the child at home, particularly if the child were ill.

"Under such circumstances," he said, "a teacher is unable to give the proper aid to her pupils."

Pictures Home of Teacher-Mother.

Mr. Stern then took up another side of the picture, the home of the teacher-

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MATTY BAFFLES ATHLETICS BY THE WIZARDRY OF HIS FADEAWAY



THE REASON FOR IT—JUST "MATTY."

NO PLUMAGE TO COME ASHORE, M'ADOO SAYS

[From The Tribune Bureau.]

Washington, Oct. 8.—Gay millinery received an "awful" blow from the Secretary of the Treasury to-day, when he decided that even plumage worn on hats must be barred from importation, and issued orders that customs inspectors must divest women of their plumage before permitting them to leave the docks.

It was pointed out by Secretary McAdoo that Paragraph 347 of the new tariff law prohibits the importation of "aigrettes, egret plumes, or so-called caprey plumes, and the feathers, quills, heads, wings, tails, skins or parts of skins of wild birds, either raw or manufactured, and not for scientific or educational purposes," and that there was no way to avoid a strict interpretation of the law.

"In view of this prohibition," says the statement, "the collectors of customs have been instructed to direct inspectors examining baggage of incoming passengers to inform such travelers who arrive with aigrettes or other prohibited plumage in their hats that such trimmings must be removed from the hats and turned over to the customs authorities before the passenger leaves the dock."

Secretary McAdoo said he was obliged to issue the instructions, because the law absolutely forbids the entry of such plumage. He said the regulations would be administered with "the least inconvenience to travelers and solely to carry out the letter and spirit of the law." He added that every possible courtesy consistent with the law would be extended.

BRIDE GETS \$100,000

American Mother Fulfills Marriage Contract.

[By Telegraph to The Tribune.]

Morristown, N. J., Oct. 8.—With the filing in the Morris County Surrogate's office of an exemplified copy of the will of Mrs. May C. Potter Jones, who died in Florence, Italy, the estate of Dr. John D. Jones is in a fair way of being wound up. Mrs. Jones left to her daughter, Martina, her only surviving child, \$100,000, in payment of a marriage contract made when the daughter became the bride of the Marquis Giuseppe Dajetta, an Italian nobleman.

Charging that her daughter had neglected and misrepresented her, though she had done even more than her duty to her daughter, Mrs. Jones directed that the residue of the estate should go to her grandchildren, the children of the marquis, except for an annual payment of \$3,000 to her daughter. The Jones family lived on Mendham Road, Morris Township. Dr. Jones bought the Schenck, Holly and Anderson farms and named the assembled acreage Marnit Farm, after his son, Martin Jones.

Warden Schleth had finished a late round of the institution and was near his apartments when he heard two revolver shots. He ran in, to find his child dead on a bed and his wife lying on the floor unconscious from a bullet wound in her forehead. She died within a few minutes.

No reason was assigned for the woman's act beyond the fact that recently she had been a victim of a nervous trouble, and the jail surroundings had seemed to have a depressing effect upon her. Schleth recently was informed of the Raymond street jail in Brooklyn, and was to have made the transfer within a few weeks.

MISSIONARIES RESCUED

Chinese Bandits Had Been Holding Them for Ransom.

Peking, Oct. 8.—The foreign missionaries, American and Norwegian, who have been in the hands of the bandits at Tsao-Yang, have been rescued.

The captives included the Rev. George Holm and the Rev. Herman Fauske and his wife and child. They were being held for ransom.

SLAYS SON AND SELF

Wife of Queens County Jail Warden Ends Two Lives.

Seized with a sudden attack of mania, Mrs. Julia Schleth, wife of Henry O. Schleth, for several years warden of the Queens County Jail at Long Island City, shot and killed her four-year-old son, early this morning, and then took her own life.

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PAUPERS YOKED TO PLOUGH

Old and Decrepit Men Make Serious Allegations.

[By Cable to The Tribune.]

London, Oct. 8.—Much indignation has been aroused in Nottingham by the allegations of some of the old and decrepit inmates of the Basford Workhouse, Nottingham. They have been yoked to the plough and made to do horses' work on land belonging privately to the guardians.

Some Baseball Facts and Figures

Second game for world's baseball championship played at Shibe Park, Philadelphia, yesterday: New York Giants, 3; Philadelphia, 0 (ten innings).

Third game—At Polo Grounds, in this city, at 2 o'clock this afternoon. Probable pitchers—Trescow for Giants, Brown for Athletics.

Weather for third game—Cloudy, probably followed by rain this afternoon and Friday.

Official paid attendance yesterday, 20,563; actual attendance, about 24,000. Total receipts, \$49,640, divided as follows:

Players	\$26,805 60
Each club	8,935 25
National commission	4,960 00

Total paid attendance for two games, 36,854. Total receipts for two games, \$121,895, divided as follows:

Players	\$67,443 30
Each club	22,481 10
National commission	12,480 50

Total paid attendance for two games last year, 65,878; total receipts, \$133,498.

TILLMAN'S COW IN PRINT

First Cartoon Published in Congressional Record.

Washington, Oct. 8.—Senator Tillman's "allegorical cow," sketched eighteen years ago to accompany an attack by the South Carolina Senator upon Wall Street and the "money power," illustrated the same article in to-day's "Congressional Record."

One view shows the cow—an elongated animal symbolical of the national resources—feeding on the farms of the South and West, while her golden milk is being drawn in New York and New England. Then the cow is pictured turned around, but the Supreme Court is choking her as she attempts to feed on income taxes, and the Western and Southern farmers are getting no milk.

Unanimous consent for inserting the article was obtained by Senator Tillman, who said he made the request "because so much that was mere surmise and prophecy then has come true." He added that he rejoiced that the country no longer could be "bamboozled," and that under a Democratic administration legislation was being enacted which would prevent the robbery that had gone on in the past.

The cartoon is said to be the first that has appeared in the "Record."

Dr. Siegert's ANGSTURA BITTERS world's famous tonic, delicious flavoring, all desserts.—Adv.

Vicious Attack of Philadelphia's Crumbles Before His Cunning, and Giants Even Up World's Series.

M'GRAW'S TEAM CRIPPLED

Plank Fights Bitter Duel for Nine Innings, but Weakens in Tenth, When Rivals Make Three Hits and Score Three Runs.

WILTSE A POWER AT FIRST

Veteran Twirler Saves Day with Two Marvellous Stops and Throws to Plate, Turning Back Foe on Verge of Victory.

[By Telegraph to The Tribune.] Philadelphia, Oct. 8.—Robbed of his catcher, a wrecked machine tottering to ruin at his back and the greatest slugger in baseball poised for the onslaught, old Chris Mathewson, master, king, emperor and ruler of all baseball pitchers at home and in the dominions beyond the seas, annihilated the attack of the Philadelphia Athletics by the might of his wizardry, and returned the Giants victors in the second game of the world's series, at Shibe Park this afternoon.

With the New York team almost irreparably crippled by the absence of three regulars—Meyers, Merkle and Snodgrass—the great twirler, practically single handed, fought the foe into submission. For the first time in thirteen world's series battles Connie Mack's present machine was unable to score. After ten innings of bitter, nerve racking combat the visitors won with the count 3 to 0.

Thousands upon thousands, friend and enemy, paid their tribute to the prowess of the master as he toyed with Baker in the pinches, coddled Collins and sent the swift McNinnis hitless through the struggle.

Eddie Plank, hero of a hundred battles, who matched "Big Six" point for point throughout a magnificent duel of nine scoreless innings, only to have his time-frayed arm fail him in the tenth, was cheered, and deservedly so, but the spontaneous outburst which greeted Matty when he pulled out of the perilous ninth after runners had reached second and third, with none out, was too long and sustained to be the product of the limited New York contingent.

And when it was all over Matty ambled slowly across the diamond, the last to leave the infield, as unconcerned as if he had spent an uneventful day on the coaching lines.

Nearly thirty thousand spectators saw the game, which will go down in history as one of the greatest ever played. A large contingent of these were perched on the tops of the houses overlooking the field. The official paid attendance was 20,563, some 10,000 less than attended the second game in Boston last year, and 6,000 less than two years ago. The receipts were \$49,640, \$9,000 less than last year, but \$7,000 more than for the second game of the series at Shibe Park two years ago.

Forlorn Hope for Giants.

Never did the Giants enter a game looking more like a forlorn hope. Merkle was in uniform, determined to play if possible, but a few minutes' practice convinced McGraw that to permit it would be folly. An ill-born toss by Herzog opened an old wound on Chief Meyers' hand toward the end of the fielding work and put him out.

Snodgrass, lame enough to be in bed, was picked to plug the gap at first, but it was a physical impossibility for him to run. After he had singled in the third and barely hobbled to third base on Matty's drive to left McGraw took him out, although Fred protested vigorously.

It was then that "Hooks" Wiltse donned his jaunty finger glove and went to first. But more of him anon. Just now, for a moment, imagine Eddie Plank robbed of McNinnis, his regular first baseman, and Baker, his hardest hitter.

Then the patched-up line-up began to do its worst for Matty. With here and there a flash of power, they booted, kicked and hurled the ball from pillar to post, but the master never quavered. They came up in a pinch with runs a-plenty quivering on the horizon and fell ignominiously.

Still "Big Six" stuck to the guns, his iron nerve unflinched and his matchless courage unbroken, until finally the time came for him to strike the blow and bring the first run of the game over the plate, with a clean, stout-hearted single to centre. Not only did he have to hold the enemy at bay, but he was also compelled to win his own game.

Two stalwart figures loomed in the breach by the side of the New York pitcher—Larry McLean, the catcher imported from Cincinnati last summer, and George Wiltse, Matty's "roomy" of the road. It was this pair that choked off two Philadelphia runs at the plate when either would have won the game had it been scored.

It was not so very long ago that Wiltse was a pitcher of some parts

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